IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8502 OF 2005

Mahendra Raosaheb Mankar & Anr. .. Petitioners

Vs.

1. The Returning Officer & Ors. ..Respondents

Mr.C.G.Gavnekar for the petitioners

Ms.Seema Sarnaik for respondent no.2

Mr.A.H.Palekar for respondent no.1 and 4

Mr.Rajeev Patil for respondent no.3

CORAM : S.U.KAMDAR, J
DATED : 14TH DECEMBER, 2005

P.C.:

1. By the impugned order, the petitioners are seeking to set aside the order passed by the Returning Officer by which nomination of Shri Prabhakar Balaram Ubhare has been accepted and has been declared as valid by the Returning Officer. Election process has already commenced on 29.11.05 and final list of nominated candidates is to be published on 15.12.05.

2. Without going into the merits of the reasoning given by the Returning Officer, I am of

the opinion that in view of the fact that election process has already commenced and exercise of writ jurisdiction would tantamount to interference with the election process which is already underway I am not inclined to entertain the Writ Petition. Petition is accordingly dismissed. However, the petitioners will be entitled to file election dispute after election process is completed.